

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH # _____

Project Title: Bridge Road Outfall Full Capture System and Stormwater Improvements at the Industrial Wastewater Treatment Plant

Lead Agency: City of Hollister

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Project Location: Hollister San Benito
City *County*

Project Description (Proposed actions, location, and/or consequences).

The City is proposing two projects to improve stormwater quality. The first project is installation of a full capture system at the Bridge Road Outfall to capture trash before the stormwater reaches the San Benito River. The second project consists of storm water improvements at the Industrial Wastewater Treatment Plant. The projects are proposed to comply with water quality requirements of the Regional Water Quality Control Board.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

Air Quality

IMPACT: The diesel construction equipment typically used to accomplish the grading and construction required for below grade pipes, and the heavy-duty trucks used for delivery and off-haul, could expose these sensitive receptors to toxic air contaminants from heavy equipment diesel exhaust.

MITIGATION: AQ-1. The City of Hollister will prepare a Construction Management Plan. The plan will include the following restrictions:

- a. Heavy-duty diesel vehicles shall be required to have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation, and shall not be staged within 500 feet of occupied residences; and
- b. Construction equipment and heavy-duty diesel trucks idling shall be avoided, where feasible, and if idling is necessary, it shall not exceed five minutes.

MITIGATION: AQ-2. All construction equipment be maintained and properly tuned in accordance with manufacturer's specifications and shall be checked by a certified visible emissions evaluator. All non-road diesel construction equipment shall, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112. Further, where feasible, construction equipment shall include the use of alternative fuels such as compressed natural gas, propane, electricity or biodiesel."

Biological Resources

IMPACT: The project could result in the loss of or harm to individual San Joaquin kit foxes if they are present on the site or seek shelter during construction within artificial structures, such as stored pipes or exposed trenches.

MITIGATION: BIO-1. The U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) shall be implemented prior to initiation of and during any construction activity on the project site to avoid unintended take of individual San Joaquin kit foxes. Preconstruction/pre-activity surveys for San Joaquin kit fox shall be conducted no less than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity that may impact San Joaquin kit fox. The surveys shall include all work areas and a minimum 200-foot buffer of the project site. The preconstruction surveys shall identify kit fox habitat features on the project site, evaluate use by kit fox and, if possible, assess the potential impacts of the proposed activity. The status of all dens shall be determined and mapped.

If a natal/pupping den is discovered within the project area or within 200 feet of the project boundary, the City of Hollister shall consult with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service to establish an appropriate avoidance buffer. The avoidance buffer shall be maintained until such time as the burrow is no longer active and/or an incidental take permit is determined to be required and is obtained.

In addition, the following measures shall be observed:

- a. Project-related vehicles shall observe a 20-mph speed limit in all project areas; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction shall be minimized. Off-road traffic outside of designated project area shall be prohibited.
- b. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 11 of the Construction and Operational Requirements in the Standardized Recommendations must be followed.

- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the U.S. Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.
- d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or project site.
- e. No firearms shall be allowed on the project site during construction activities.
- f. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets shall be permitted on site during construction activities.
- g. Use of rodenticides and herbicides on the project site during construction shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the U.S. Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide shall be used because of proven lower risk to kit fox.
- h. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- i. Any contractor, employee, or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to San Benito County, who will contact the CDFW and USFWS as needed.
- j. The City of Hollister shall prepare and maintain for the record, weekly reports on construction monitoring activities.

IMPACT: If burrowing owls are present on or adjacent to the project site, construction activities could result in the loss or disturbance of individual animals.

MITIGATION: BIO-2. To avoid/minimize impacts to burrowing owls potentially occurring within the project site, the City of Hollister shall retain a biologist qualified in ornithology to conduct surveys for burrowing owl. The approved biologist shall conduct a two-visit (i.e. morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site boundary no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to methods described in the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012). The City of Hollister shall retain the results of the survey, for the record.

Because burrowing owls occupy habitat year-round, seasonal no-disturbance buffers, as outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012), shall be in place around occupied habitat prior to and during any ground disturbance activities. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a qualified biologist approved by the CDFW verifies through non-invasive measures that either: 1) birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance Buffers (meters)
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		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	Nesting Sites	April 1 – Aug 15
Nesting Sites	Aug 16 – Oct 15	200 m	Nesting Sites	Aug 16 – Oct 15
Nesting Sites	Oct 16 – Mar 31	50 m	Nesting Sites	Oct 16 – Mar 31

If burrowing owl is found and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. Occupied burrows shall be replaced with artificial burrows at a ratio of one collapsed burrow to one constructed artificial burrow (1:1). Evicted burrowing owls may attempt to colonize or re-colonize an area that would be impacted, thus ongoing surveillance during project activities shall be conducted at a rate sufficient to detect burrowing owls if they return.

If surveys locate occupied burrows in or near construction areas, consultation with the CDFW shall occur to interpret survey results and develop a project-specific avoidance and minimization approach.

IMPACT: Construction activities at the project site could result in the disturbance of roost and natal sites occupied by special-status bats on or adjacent to the project site, if present.

MITIGATION: BIO-3. Approximately 14 days prior to tree removal or construction activities, a qualified biologist shall conduct a habitat assessment for bats and potential roosting sites in trees to be removed, in trees within 50 feet of the development footprint, and within and surrounding any structures that may be disturbed by the project. These surveys shall include a visual inspection of potential roosting features (bats need not be present) and a search for presence of guano within the project site, construction access routes, and 50 feet around these areas. Cavities, crevices, exfoliating bark, and bark fissures that could provide suitable potential nest or roost habitat for bats shall be surveyed. Assumptions can be made on what species is present due to observed visual characteristics along with habitat use, or the bats can be identified to the species level with the use of a bat echolocation detector such as an “Anabat” unit. Potential roosting features found during the survey shall be flagged or marked.

If no roosting sites or bats are found, a letter report confirming absence shall be prepared and submitted to the City of Hollister and no further mitigation is required.

If bats or roosting sites are found, bats shall not be disturbed without specific notice to and consultation with CDFW.

If bats are found roosting outside of the nursery season (May 1 through October 1), CDFW shall be consulted prior to any eviction or other action. If avoidance or postponement is not feasible, a Bat Eviction Plan will be submitted to CDFW for written approval prior to project implementation. A request to evict bats from a roost includes details for excluding bats from the roost site and monitoring to ensure that all bats have exited the roost prior to the start of activity and are unable to re-enter the roost until activity is completed. Any bat eviction shall be timed to avoid lactation and young-rearing. If bats are found roosting during the nursery season, they shall be monitored to determine if the roost site is a maternal roost. This could occur by either visual inspection of the roost bat pups, if possible, or by monitoring the roost after the adults leave for the night to listen for bat pups. Because bat pups cannot leave the roost until they are mature enough, eviction of a maternal roost cannot occur during the nursery season. Therefore, if a maternal roost is present, a 50-foot buffer zone (or different size if

determined in consultation with the CDFW) shall be established around the roosting site within which no construction activities including tree removal or structure disturbance shall occur until after the nursery season.

IMPACT: If protected bird species are nesting adjacent to the project site during the bird nesting season (January 15

through September 15), then noise-generating construction activities could result in the loss of fertile eggs, nestlings, or otherwise lead to the abandonment of nests.

MITIGATION: BIO-4. To avoid impacts to nesting birds during the nesting season (January 15 through September 15), to the extent feasible, construction activities that include any vegetation removal or ground disturbance (such as grading or grubbing) shall be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction activities commence during the bird nesting season, then a qualified biologist shall conduct a pre-construction survey for nesting birds to ensure that no nests would be disturbed during project construction.

If construction activities are scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys. Two surveys for active nests of such birds shall occur within 10 days prior to start of construction, with the second survey conducted with 48 hours prior to start of construction. Appropriate minimum survey radius surrounding the work area is typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities.

If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g. defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. This measure shall be implemented by the City of Hollister prior to start of construction activities.

Cultural Resources

IMPACT: The project could cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5.

MITIGATION: CR-1. The City of Hollister will prepare a specific plan for Native American monitoring of project construction activities. The specific plan shall include, but not be limited to, the following:

- a. Consultation with the Amah Mutsun Tribal Band;
- b. Cultural sensitivity training conducted by a qualified archaeologist or Native American monitor for all crews participating in soil-disturbing activities. New crew members will receive the training prior to beginning soil-disturbing activities;
- c. Construction monitoring by a Native American monitor of the Amah Mutsun Tribal Band during all soil-disturbing activities within 400 feet of the San Benito River;
- d. Construction monitoring by a California-trained archaeological monitor during all soil-disturbing activities;
- e. Including the following language on all construction documents: If archaeological resources are discovered during construction, the County of San Benito requires that work be halted within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. If the find is determined to be significant, then appropriate mitigation measures will be formulated and implemented.

IMPACT: Due to the presence of four groundstone artifacts and the proximity of the San Benito River, there is the possibility of an accidental discovery of Native American human remains during construction activities.

MITIGATION: CR-2. Due to the possibility that human remains may be discovered during construction activities, the following language shall be included in all construction documents:

“If human remains are found during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner is contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98.

The landowner or authorized representative will rebury the Native American human remains and associated grave goods with appropriate dignity on the project site in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.”

Geology and Soils

IMPACT: During earth-moving activities, it is possible to accidentally discover buried paleontological resources.

MITIGATION: GEO -1. Due to the possibility that buried paleontological resources might be discovered during construction, the following language shall be included on all construction documents and on any permits issued for the project site, including, but not limited to, grading and building permits associated with the proposed project:

“If paleontological resources are unexpectedly discovered during construction, work shall be halted immediately within 50 meters (160 feet) of the find, and the Planning Department notified, until it can be evaluated by a qualified professional paleontologist. If the find is determined to be significant, an appropriate resource recovery shall be formulated, with the concurrence of the City of Hollister, and implemented.”

Noise

IMPACT: The project could result in temporary increases in ambient noise levels due to construction-related noises.

MITIGATION: N-1. The following measures shall be incorporated into the construction plans for the proposed project to mitigate construction noise:

- a. Construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. Construction activities shall be prohibited on Sundays and federally recognized holidays;
- b. Locate construction equipment and equipment staging areas at the furthest distance possible from nearby noise-sensitive land uses;
- c. Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers’ recommendations. Equipment engine shrouds should be closed during equipment operation;
- d. When not in use, all construction equipment shall be turned off and shall not be allowed to idle; and
- e. A noise disturbance coordinator shall be designated to handle complaints and the site shall be posted with a phone number and email address so that the nearby residents have a contact person in case of a noise problem

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

There are no areas of controversy known to the City of Hollister (Lead Agency).

Provide a list of the responsible or trustee agencies for the project.

Regional Water Quality Control Board

